IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET.
SECOND APPEAL NO.203 OF 2003

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.S.A.Mudbidri for the Appellant

CORAM: A.S.OKA,J.
DATE : MARCH 9,2005.

P.C.:

. Not on board.

1. On the prayer made by the learned Advocate for the Appellant the order dated 3rd March 2005 is set aside and the Appeal is restored to file.

2. Heard Advocate for the Appellant. The Appeal is by the legal representative of original Defendant No.4 for challenging the decree of partition passed by the Trial Court and confirmed by the Appellate Court with some modification. While modifying the decree passed by the trial Court in operative part of the order the Appellate Court has held thus,

"While effecting partition of agricultural fields, Block No.765 be retained with the appellant No.2 original defendant No.4 and said land be thrown to the share of the deceased defendant No.1 Paradu Hari Patil."

3. Considering the fact that the original defendant No.4 claims to be purchaser of undivided share of one of the co-sharers and in view of the directions given by the Appellate Court referred to above, no substantial question of law arise in the Appeal. Second Appeal is dismissed with no order as to costs.

JUDGE.